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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,114	03/05/2002	Rainer Hillebrand	RBL0085	6351

7590 12/22/2004  
John F Hoffman  
Baker & Daniels  
111 East Wayne Street  
Suite 800  
Fort Wayne, IN 46802

EXAMINER

FAROOQ, MOHAMMAD O

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/048,114

Applicant(s)

HILLEBRAND, RAINER

Examiner

Mohammad O. Farooq

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shinomura et al. U.S. Pat. No. 6,108,709 in view of Sitrick. U.S. Pat. No. 5,728,960.
2. As to claim 8, Shinomura et al. teach process for the automatic adaptation of the data to be transferred from a data-preparing device to a data-requesting device, to the capabilities of the data-requesting device (col. 3, lines 19-67; col. 4, lines 1-9), in which the data-preparing device receives information about the capabilities of the data-requesting device, and the data to be transferred are transmitted to the data-requesting device in correspondence to the pre-determined capabilities (col. 3, lines 19-67; col. 4, lines 1-9).

Shinomura et al. do not teach information data contain statements in regard to display format and wherein a list of usable display formats is transmitted to the data-preparing device, and the data-preparing device, then, according to availability, selects the best-suited display format. Sitrick teaches information data contain statements in regard to display format and wherein a list of usable display formats is transmitted to the data-preparing device, and the data-preparing device, then, according to availability, selects the best-suited display format (col. 24, lines 6-12. However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Shinomura et al. and Sitrick because that would provide simplified and adaptive user input selections (col. 4, lines 56-67)

3. As to claim 9, Shinomura et al. teach information data from the data-requesting device are transmitted to the data-preparing device (col. 3, lines 28-46).

4. As to claim 10, Shinomura et al. teach the information data are transmitted to the data-preparing device through a device (database) engaged between the data-requesting device and the data-preparing device (col. 3, lines 28-67).

5. As to claim 11, Shinomura et al. teach the data to be requested are stored in a central data bank of the data-preparing device and, on call are formatted (changed) by the formatting device into the prescribed data format and transmitted to the data-requesting device (col. 3, lines 28-67; col. 4, lines 1-9).

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6. As to claim 12, Shinomura et al. teach the information data are transmitted to the data-preparing device over a device engaged between the data-requesting device and the data-preparing device (col. 3, lines 28-67).

7. As to claim 13, Shinomura et al. teach the requested data are stored in a central data bank of the data-preparing device and, on call, are formatted by a formatting device into the predetermined data format and transmitted to the data-requesting device (col. 3, lines 28-67; col. 4, lines 1-9).

8. As to claim 14, Shinomura et al. teach the requested data are stored in a central data bank (database) of the data-preparing device and, on call, are formatted by a formatting device into a predetermined data format and transmitted to the data-requesting device (col. 3, lines 1-67; col. 4, lines 1-9).

***Response to Arguments***

9. Applicant's arguments with respect to claims 8-14 have been considered but are moot in view of the new ground(s) of rejection.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

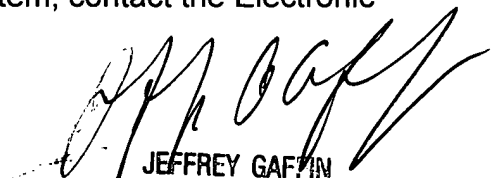
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad O. Farooq whose telephone number is (571) 272-4144. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

Mohammad O. Farooq  
December 3, 2004